



Attorney Docket No. 5470.250DV

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PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
*(S)*

In re: Richard C. Boucher, Jr.  
Serial No.: 10/087,355  
Filed: March 1, 2002  
For: **COMPOUNDS AND METHODS FOR THE TREATMENT OF AIRWAY DISEASES AND FOR THE DELIVERY OF AIRWAY DRUGS**

April 25, 2002

Commissioner for Patents  
Washington, D.C. 20231**NOTIFICATION OF CHANGE IN SMALL ENTITY STATUS  
UNDER 37 C.F.R. § 1.28(c)**

Sir:

Upon further examination of the above-identified application, Applicants realize that the filing fee was erroneously paid as a small entity. Applicants regret this error, which was made without any deceptive intent. Accordingly, the claim for small entity based on the payment of filing fees for a small entity is hereby withdrawn.

Pursuant to 37 C.F.R. §1.28(c)(2), the following information is set forth hereafter: 1) each fee that was erroneously paid as a small entity, including the fee paid and the date that the fee was paid; 2) the deficiency owed for each fee that was erroneously paid; and 3) the total deficiency payment owed.

Fee Paid	Date Paid	Amount Owed as Large Entity	Amount Paid	Deficiency
Statutory Filing Fee	March 1, 2002	\$740	\$370	\$370
Fee for Additional Claims	March 1, 2002	\$162 (9 x \$18)	\$82 (9 x \$9)	\$82
Fee for Additional Independent Claims	March 1, 2002	\$0	\$0	\$0
			<b>TOTAL OWED</b>	<b>\$452.00</b>

05/16/2002 CV0111 00000001 10087355

01 FC:101  
02 FC:103  
03 FC:998740.00 OP  
162.00 OP  
1.00 OP

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MAY 16 2002  
OFFICE OF PESTIONS  
CV0111  
10087355  
-370.00 OP  
-81.00 OP  
C:201  
c:203

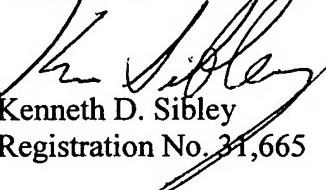
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Applicants regret this inadvertent error, which was made without any deceptive intent. A check in the amount of \$452 (the deficiency between the amount paid and the amount due) is enclosed.

The Commissioner is authorized to charge any additional deficiency, or credit any overpayment, to our deposit account number 50-0220.

Respectfully submitted,

  
Kenneth D. Sibley  
Registration No. 31,665

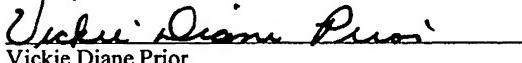


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PATENT TRADEMARK OFFICE

**Certificate of Mailing under 37 CFR 1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, Washington, DC 20231 on April 25, 2002

  
Vickie Diane Prior  
Date of Signature: April 25, 2002

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